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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON**

Bridget Fisher, Carolyn Sabin, Elizabeth) Case No.:
Hampton, Katrina Roy, Brigitte Norton)

Plaintiffs,

) **COMPLAINT FOR
DECLARATORY RELIEF AND
DAMAGES**

v.

) I. Title VII -- Religious
Discrimination

DEPARTMENT OF FINANCIAL)
INSTITUTIONS, and Does 1-50)

) **JURY DEMANDED**

Defendant

INTRODUCTION

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3 1. The Defendant has implemented a CV19 vaccination policy for all employees in
4 accord with the Governor's Proclamation 21-14 et seq. No accommodations for
5 people of faith, who hold sincere religious convictions against receiving CV-19
6 vaccines, were allowed. This violates the rights of workers to be free from
7 discrimination under Title VII.
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9 2. By this complaint Plaintiffs seek relief from discrimination against them
10 under Title VII, 42 USC 2000e, et seq.
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JURISDICTION AND VENUE

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13 3. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331,
14 as it presents a federal question under Title VII of the Civil Rights Act of
15 1964, as amended, 42.U.S.C. §§ 2000e-(j), 2000e-2 and 2000e-3(a); the
16 Civil Rights Act of 1991, 42 U.S.C. § 1981a, and other laws of the
17 United States, and also pursuant to 28 U.S.C. § 1343.
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20 4. Plaintiffs' claims for declaratory relief and damages are authorized by 28
21 U.S.C. §§ 2201-2202, Federal Rules of Civil Procedure 57 and 65, and
22 the general legal and equitable powers of this Court, which empower this
23 Court to grant the requested relief.
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1 5. This Court has the authority to award Plaintiffs' attorneys' fees and costs
2 associated with this action pursuant to 42 U.S.C. § 1988 and other
3 applicable laws.
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5 6. Venue is proper within this judicial district and division, pursuant to 28
6 U.S.C. § 1391(b), because the relevant events have occurred and are
7 threatened to occur in this jurisdictional district and division.
8

9 **PARTIES**

10 7. Plaintiffs were employees of the Department of Financial Institutions
11 each functioning in the below jobs:
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13 a. Plaintiff Bridget Fisher was an employee of the
14 Department of Financial Institutions, as an (job
15 title).
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17 b. Plaintiff Carolyn Sabin was an employee of the
18 Department of Financial Institutions, as an (job
19 title).
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21 c. Plaintiff Elizabeth Sabin was an employee of
22 the Department of Financial Institutions, as an
23 (job title).
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1 d. Plaintiff Katrina Roy was an employee of the
2 Department of Financial Institutions, as an (job
3 title).
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5 8. Defendant, Department of Financial Institutions, is an employer and
6 violated the right of Plaintiff to be free from discrimination.
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8 9. Plaintiffs are informed and believe and thereon allege that the
9 fictitiously-named Defendants sued herein as Does 1 through 5 inclusive,
10 and each of them, are in some manner responsible for the occurrences,
11 acts, and omissions alleged herein and that Plaintiffs' damages were
12 proximately caused by their conduct. The true names and capacities of
13 such fictitiously-named Doe Defendants, whether individual, corporate,
14 partnership, associate or otherwise, are presently unknown to Plaintiffs,
15 and Plaintiffs will seek leave of the Court to amend this Complaint to
16 assert the true names and capacities of such fictitiously-named
17 Defendants when the same have been ascertained. For convenience, each
18 reference to the named Defendant herein shall also refer to Does 1
19 through 5, inclusive.
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24 **FACTS**
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1 10. On or about August 9, 2021, the Governor of Washington, Jay Inslee,
2 passed Proclamation 21-14. Proclamation 21-14 requires all workers for
3 State Agencies to subject themselves to a CV-19 vaccination or face
4 termination from their employment, unless such worker is granted a
5 religious or medical accommodation/exemption.
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7 11. Proclamation 21-14 allows for religious accommodation under Title VII.
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9 12. Proclamation 21-14 has been implemented in a manner that does not
10 allow for the religious accommodation process to be given meaningful
11 dialogue regarding job accommodations. The process is such that it can
12 be deduced that denials were predetermined without due consideration
13 for the proposed request(s).
14

15 13. Plaintiffs hold religious convictions that prevent them from taking the
16 CV-19 vaccination. Their beliefs are sincere and each of the Plaintiffs
17 submitted a request for exemption which was granted. Each exemption
18 request is incorporated in full by reference and accompanies this
19 Complaint and marked as Exhibit 1A-D.
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21 14. Plaintiffs request for exemption was approved, but DFI stated that
22 Plaintiffs could not be accommodated. Each letter reads the same despite
23 varying job functions of each Plaintiff. There appears no analysis of the
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1 particular job requisites and how the requested accommodations (if any
2 were allowed to be suggested) were an undue burden. The exemption
3 approval and accommodation denial letters are incorporated in full and
4 attached hereto as Exhibit 2A-D.
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6 15. Plaintiffs' request for a religious exemption was approved by DFI and
7 the agency did not question the sincerity of any of the Plaintiffs'
8 sincerely held beliefs, but thereafter DFI did not attempt any engagement
9 or discussion with Plaintiffs to determine what, if any, accommodations
10 could be made.
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13 16. Thereafter, the DFI took adverse action against Plaintiffs and terminated
14 them on the basis of their sincerely held religious belief and DFI being
15 unable to reasonably accommodate [them]. Each Plaintiffs' letter of
16 termination is incorporated in full and attached to this Complaint as
17 Exhibit 3A-D.
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20 17. DFI failed, entirely, to have a meaningful and interactive discussion
21 regarding the job functions and potential requested accommodations.
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23 18. Plaintiffs were denied the process of assessing the individual job
24 functions and how any accommodation would pose an undue burden as
25 required under Title VII.
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1 19.As a result of the denial of the request for a religious accommodation
2 under Title VII, the Plaintiffs were terminated from each of their jobs.
3 This constitutes adverse employment action.
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5 20.Plaintiffs exhausted *her* administrative remedies by timely filing a
6 charge of discrimination, and received a “right to sue” letter from the
7 EEOC on May 2, 2022. These letters are incorporated in full and attached
8 to this Complaint marked as Exhibit 4A-D.
9

10 **FIRST CAUSE OF ACTION**
11 **VIOLATION OF TITLE VII**
12 **(42 U.S.C. § 2000e)**
13 **(against all Defendants)**

14 24. Plaintiffs repeat and reallege the allegations above and
15 incorporates those allegations herein by reference.

16 25. At all times relevant herein, Plaintiffs were qualified to
17 perform their duties as a job title.
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19 26. Plaintiff(s) each individually have a sincerely held religious
20 belief against receiving a CV-19 vaccine.
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22 27. Plaintiff notified Defendant of [their] sincerely held
23 religious belief by submitting a request for religious accommodation, thus
24 engaging in actions protected by federal law.
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1 28. Defendant failed and refused to accommodate Plaintiffs on
2 account of [their] religious beliefs.

3 29. Defendant subjected Plaintiffs to adverse employment
4 actions by removing them from their position and then terminating them from
5 employment.

6 30. Defendant did not meaningfully engage with Plaintiffs and
7 discuss the request for religious accommodation under Title VII, and issued a
8 boilerplate denial letter to each Plaintiff.

9 31. Plaintiff's religious observance and need for a religious
10 accommodation was a substantial motivating factor in Defendant's decision to
11 terminate Plaintiffs.

12 32. As a direct and proximate result of the discriminatory
13 actions of Defendant, as alleged herein, Plaintiffs have suffered harm in the
14 form economic and non-economic damages, plus interest thereon.

15 33. Wherefore, Plaintiffs brings this claim under 42 U.S.C. §
16 2000e and requests the relief set forth below in the prayer for relief.

17 34. A justiciable dispute exists between the parties as to whether
18 or not a boilerplate denial of accommodation satisfies the interactive process
19 required by Title VII; and,
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1 35. Whether or not it was an undue burden for Defendant to
2 accommodate the sincerely held religious beliefs of Plaintiff(s).

3 **PRAYER FOR RELIEF**
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5 Wherefore, Plaintiffs requests that the Court enter judgment in their favor,
6 and against the Defendant, for full relief, including the following:
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- 8 1. Damages as proved at trial
- 9 2. Order Defendant to make Plaintiffs whole by awarding appropriate
10 economic damages for past and future losses in amounts to be
11 determined at trial, including, but not limited to, lost wages, benefits,
12 retirement, medical coverage, dental, and vision insurance.
- 13 3. Order Defendants to make Plaintiffs whole by providing
14 compensation for past and future non-pecuniary losses resulting from
15 the unlawful conduct, including but not limited to pain and suffering,
16 emotional distress, inconvenience, mental anguish, loss of enjoyment
17 of life and humiliation, in amounts to be determined at trial.
- 18 4. Attorney's fees and costs.
- 19 5. Pre-judgment interest on damages.
- 20 6. Other relief as deemed appropriate by the court
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1 7. Declaratory relief that Defendant violated Title VII and denied the
2 Plaintiffs due process under the law in the accommodation process.
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5 Dated December 20, 2022

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7 /s/Harold H. Franklin, Jr.
8 Harold H. Franklin, Jr. WSBA #20486
9 Tracy Tribbett WSBA #35922
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